



Practitioner's Docket No. 1523-5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____
Inventor(s)

for _____
Title of invention

the specification of which is being transmitted herewith

OR

In re application of: GROLLITSCH, Helmut; LICKFETT, Burkhard

Application No.: 10 / 672,402 Group No.: 2635

Filed: September 29, 2003 Examiner:

For: METHOD AND APPARATUS FOR DETECTING A CRACKED OR BROKEN
CASE

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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(Information Disclosure Statement [6-1]—page 1 of _____)

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

(1) Within three months of the filing date of a national application;

(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or

(3) Before the mailing date of a first Office action on the merits, whichever event occurs last."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) each inventor named in the application;

(2) each attorney or agent who prepares or prosecutes the application; and

(3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections
and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☒ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

- ☐ Exception(s) to above:
 - ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
 - ☐ Cumulative patents or publications identified in Section 5.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).

U.S. Patent No. 6,474,141, issued on November 5, 2002 to Takaoka et al., describes a seal inspection machine for inspecting bagged products to determine the presence or absence of a seal abnormality being transported along a conveyor belt.

U.S. Patent No. 6,473,169, issued on October 29, 2002 to Dawley et al., teaches a leak and vision inspection system that inspects a bottle or other container for manufacturing defects. The system provides a series of visual inspection stations with cameras and lighting that are integrated onto a rotary inspection system for on-line inspection of containers. A microprocessor in data communication with each of the inspection stations receives and analyzes image data of the particular area or parameter of the container being inspected or tested, and generates data relating to the container based upon predetermined criteria.

U.S. Patent No. 6,237,431, issued on May 29, 2001 to Franke, discloses an apparatus for testing non-rotationally symmetrical hollow bodies for defects includes a conveyor for continuously conveying the hollow body through a test region past a detector for producing measurement values characterizing the nature of the respective hollow bodies being tested, in dependence on the angle of rotation of the hollow body. An evaluator device compares the measurement values to predetermined values to decide whether the respective hollow body being tested suffers from defects.

U.S. Patent No. 6,088,995, issued on July 18, 2000 to Robinson et al., teaches another type of carton inspection and ejection system along a conveyor belt. The system is utilized to determine whether the carton has assumed a predetermined configuration at a predetermined

point along the path of travel. Rollers are provided which are actuated to eject a carton when the detection elements determine that the carton element has not assumed the predetermined configuration.

U.S. Patent No. 4,984,409, issued on January 15, 1991 to H. Focke, describes a process and apparatus for the testing of carton packs, such as those made of corrugated cardboard. The device applies pressure onto one of the adhesively connected walls, such as the bottom wall and the cover wall. The device is used so as to detect inadequate connections between the walls through the springing open of the respective walls. The change of shape in the carton pack is detected by sensors, such as photosensors. Any faulty packs are separated out of the feedstream, put in order, and reintroduced into the stream. Pressure is applied solely to the top of the carton pack so as to determine whether the carton pack will withstand the application of pressure thereto.

U.S. Patent No. 4,530,246, issued on July 23, 1985 to Pitman et al., presents an apparatus for automatically inspecting brittle articles such as containers of glass and the like has element which applies a force to each article in turn, so as to propagate any cracks in the glass.

U.S. Patent No. 3,955,408, issued on May 11, 1976 to Northup, discloses a fluidless bottle testing method and apparatus. After being subjected to a squeeze test for side wall strength, bottles are moved to a bottle bottom tester which places the outer surfaces of the bottom and of the lower side wall of the bottle into tension. Bottles which would fail in service due to thin or weak walls, checks and scratches fail during the test and are thus removed prior to filling.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
☒ in the practitioner's file.

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SIGNATURE OF PRACTITIONER

John S. Egbert

(type or print name of practitioner)

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PTO/SB/08A (10-96)
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|---|---|----|---|--------------------------|--------------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/672,402 |
| | | | | Filing Date | September 29, 2003 |
| | | | | First Named Inventor | GROLLITSCH, Helmut |
| | | | | Group Art Unit | 2635 |
| | | | | Examiner Name | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 1523-5 |

[illegible][illegible]

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.